

## **Rule 375-5-1-.10 Driver Improvement Clinic Office Requirements**

- (1a) The clinic shall permit authorized representatives of the Department to make periodic, scheduled or unscheduled inspections of all clinic facilities. During each inspection each owner, partner, associate, corporate director, office manager or employee of the clinic shall cooperate with the Departments representative and upon demand shall exhibit all records, instructional aides or such other materials as may be called for to be inspected.
- (2b) The telephone must be used exclusively for the operation of the clinic. The telephone may be used in conjunction with an Alcohol Program licensed by the Georgia Department of Behavioral Health and Developmental Disabilities, or with a driver training school or ignition interlock provider licensed by the Department. The clinic must notify the Department in writing within ten (10) days of any telephone number changes for the clinic.
- (3e) Sufficient indoor space must be provided for the purpose of instruction, to include individual desks or tables with chairs to accommodate students comfortably. Classes of instruction are limited to a maximum number of forty (40) students per class unless the Department determines that the space is inadequate for that number of students. In those situations, the maximum number will be calculated on twenty square feet per student with a minimum number of fifteen students per class. The minimum square feet of an indoor classroom must be at least 300 square feet of useable classroom space. Programs licensed prior to the enactment of the 300 square foot minimum may continue to utilize existing classrooms that satisfied the prior requirement of 250 square feet. Such programs may not add new classrooms that are less than 300 square feet in size. The maximum number of students per class determined by the Department does not supersede the occupancy load or maximum for the building determined by the local governing entity (i.e. county or city fire marshal, inspector, or agent). A copy of the Certificate of Occupancy must be submitted during the certification application process.
- (4d) A clinic shall maintain business hours of at least fifteen (15) hours per week, half of which must fall within the Department's normal business hours. An employee of the clinic must be available during this time to furnish information of operation, verify attendance to a class, or to produce the necessary records or documents whenever requested by a member of the Department. The clinic may close for a lunch hour at a set time, upon notice to the Department of the scheduled lunch hour. Each clinic is responsible for notifying the Department of times during which the business office of the clinic will be closed for lunch or vacation and of the regularly scheduled hours of operation of the business office.
- (5e) Each clinic must have a principal office. The principal office cannot be located in a private residence unless a separate public outside entrance is provided.
- (6f) Any school, office, or classroom facility utilized for or approved for the purposes of a Driver Improvement Clinic shall comply with the requirements set forth by the Americans with Disabilities Act of 1990, before a permit is issued. The owner shall certify to the Department that the office and/or classroom complies with the Act, its implementing regulations, and Georgia laws governing access for the handicapped.
- (7) Any school, office, or classroom facility utilized for or approved for the purpose of a Driver Improvement Clinic shall be clean and safe from health hazards such as rodents, pest infestation, and mold.

- (8g) Any driver improvement clinic which is to be closed on a weekday other than for federal or state holidays must give the Department written notice of the closure two weeks in advance. Confirmation of the receipt of the notice will be issued by the Department. The clinic is not relieved of its obligations to make records and documents available for inspection unless it has received confirmation of receipt of the notice of proposed closure from the Department.

**Authority: O.C.G.A. §§ 40-5-80, ~~and~~ 40-5-83.**

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this amendment is to add verbiage regarding maximum occupancy determined for the building due to issues found with the maximum determined for students per class being higher than the occupancy maximum determined for the building. In the past, the certificate of occupancy was not required but was sometimes still submitted. In recent scenarios, the Department found that the occupancy maximum established by the county's fire marshal was significantly lower than what was determined (for the classroom) by the Department's measurements.

### **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES**

This proposed amendment requires the maximum number of students per class determined by the Department not to supersede the occupancy load or maximum for the building determined by the local governing entity (i.e. county or city fire marshal, inspector, or agent). A copy of the Certificate of Occupancy must be submitted during the certification application process. Any school, office, or classroom facility utilized for or approved for the purpose of a Driver Improvement Clinic shall be clean and safe from health hazards such as rodents, pest infestation, and mold. The rule title is also updated to be more specific.